

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES TREECE,

Plaintiff,

Case No. 4:06-CV-110

v.

Hon. Richard Alan Enslen

DAVE J. BURNETT, et al.,

Defendant.

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ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed August 17, 2007, is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss or to Transfer Venue [15] is **DENIED**, Defendants' Motion for Summary Judgment [18] is **GRANTED**, and Plaintiff's Complaint is **DISMISSED** for the reason(s) stated in the Report and Recommendation.

IT IS FURTHER ORDERED that upon review of Plaintiff's claims, this Court can discern no good-faith basis for an appeal and so certifies in accordance with *McGore v. Wigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

Dated in Kalamazoo, MI:
September 25, 2007

/s/Richard Alan Enslen
Richard Alan Enslen
Senior United States District Judge